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**COUNSEL FOR PLAINTIFFS AND
REORGANIZED DEBTORS**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

**ACIS CAPITAL MANAGEMENT, L.P.,
ACIS CAPITAL MANAGEMENT GP, LLC,**

Debtors.

§ **Case No. 18-30264-SGJ-11**
 § **Case No. 18-30265-SGJ-11**
 §
 § **(Jointly Administered Under Case No.**
 § **18-30264-SGJ-11)**
 §
 § **Chapter 11**

**ACIS CAPITAL MANAGEMENT, L.P.,
ACIS CAPITAL MANAGEMENT GP, LLC,
Reorganized Debtors,**

Plaintiffs,

VS.

**JAMES DONDERO, FRANK WATERHOUSE,
SCOTT ELLINGTON, HUNTER COVITZ,
ISAAC LEVENTON, JEAN PAUL SEVILLA,
THOMAS SURGENT, GRANT SCOTT,
HEATHER BESTWICK, WILLIAM SCOTT,
AND CLO HOLDCO, LTD.,**

Defendants.

Adversary No. 20-03060-SGJ

ACIS' MOTION TO COMPEL COMPLIANCE WITH SUBPOENA

Acis Capital Management, L.P. (“Acis LP”) and Acis Capital Management GP, LLC (“Acis GP” together with Acis LP, the “Reorganized Debtors,” “Debtors,” “Acis,” or “Plaintiffs”), the Reorganized Debtors in the above-styled and jointly administered bankruptcy cases (the “Bankruptcy Cases”) and Plaintiffs in the above-styled adversary proceeding (the “Adversary Proceeding”), file this motion pursuant to Federal Rule of Civil Procedure 45 to compel non-party Highland Capital Management, L.P. (“Highland”) to comply with the subpoena served by Acis.

Along with Plaintiffs’ Motion to Compel Compliance with Subpoena, Plaintiffs respectfully submit 1) Acis’ Brief in Support of Motion to Compel Compliance with Subpoena; and 2) Appendix in Support of Motion to Compel Compliance with Subpoena. A proposed order to Plaintiffs’ Motion is attached as Exhibit A.

Dated: December 13, 2022

Respectfully submitted,

/s/ Shawn Bates

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CERTIFICATE OF CONFERENCE

I certify that that on November 21, 2022, I sent a letter to Highland's counsel identifying the deficiencies in Highland's response to the Amended Subpoena. A conference was not held because counsel for Highland did not respond to that letter.

/s/ Shawn Bates
Shawn Bates

CERTIFICATE OF SERVICE

I hereby certify that on December 13, 2022 that this document was electronically served to the parties registered or otherwise entitled to receive electronic notices in this adversary proceeding pursuant to the Electronic Filing Procedures in this District.

/s/ Christian Adriatico
Christian Adriatico

documents pursuant to the express, agreed terms of the Amended Subpoena; (3) Highland's search and production of documents under the terms of the Amended Subpoena must include searching the information of in-house counsel and producing responsive documents; and, (4) Highland must search for and produce documents related to HarbourVest.

The Court further **ORDERS** that production be completed within 14 calendar days of this order.

Judge Presiding